

insure compliance with the orders of the court, judgment of condemnation was entered and it was ordered by the court that the product be released to the claimant for separation and destruction of the decomposed portion and proper relabeling of the remainder.

M. L. WILSON, *Acting Secretary of Agriculture.*

22102. Adulteration and misbranding of concentrated apricot. U. S. v. International Extract and Research Laboratories. Plea of guilty. Fine, \$400. (F. & D. no. 31331. Sample no. 5924-A.)

This case was based on a shipment of a product intended to be used as a flavoring extract and represented to consist of highly concentrated apricot. Analysis showed that the article was an artificially colored and flavored imitation product containing little, if any, fruit.

On January 23, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the International Extract and Research Laboratories, a corporation, Detroit, Mich., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 22, 1932, from the State of Michigan into the State of Ohio, of a quantity of concentrated apricot which was adulterated and misbranded. The article was labeled in part: (Bottle) "Highly Concentrated Apricot for Culinary Use Only * * * International Extract and Research Laboratories, Detroit."

It was alleged in the information that the article was adulterated in that an artificially flavored and artificially colored solution deficient in apricot had been substituted for highly concentrated apricot. Adulteration was alleged for the further reason that the article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statement "Highly Concentrated Apricot" was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On April 9, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$400.

M. L. WILSON, *Acting Secretary of Agriculture.*

22103. Adulteration and misbranding of frozen whole eggs. U. S. v. Harry B. Werner and Max Greenberg (Werner Poultry Co.). Pleas of guilty. Fine, \$25. (F. & D. no. 31341. Sample no. 33757-A.)

This case was based on a shipment of frozen whole eggs which were found to be in part sour, musty, putrid, or otherwise inedible. The containers of the article failed to bear a statement of the quantity of the contents.

On February 12, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harry B. Werner and Max Greenberg, copartners, trading as the Werner Poultry Co., Minneapolis, Minn., alleging shipment by said defendants on or about November 5, 1932, from the State of Minnesota into the State of Illinois, of a quantity of frozen whole eggs which were adulterated and misbranded. The article was labeled in part: "From The Werner Poultry Co. Greenberg & Werner, Copartners. * * * Minneapolis, Minn."

It was alleged in the information that the article was adulterated in that it consisted in part of a decomposed and putrid animal substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 13, 1934, the defendants entered pleas of guilty, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

22104. Misbranding of cottonseed meal and cake. U. S. v. Farmers Cotton Seed Products Co., Inc. Plea of guilty. Fine, \$50. (F. & D. No. 31353. Sample nos. 16956-A, 16958-A.)

This case was based on shipments of cottonseed meal and cake which were found to contain less than 28 percent of protein, the amount declared on the labels.

On December 30, 1933, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Farmers Cotton Seed Products Co.,